



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV
345 COURTLAND STREET
ATLANTA, GEORGIA 30365

11 9 0034

MAY 28 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Polymer Chemicals, Inc.
c/o Mr. Obie Riddle
1650 Roman Drive
Columbia, S.C. 29609

RE: Medley Site
County Road 72 (Burnt Gin Road)
Gaffney, South Carolina

Dear Mr. Riddle:

The United States Environmental Protection Agency (EPA) from June 1983 until July 1983 spent approximately \$600,000 in federal funds removing hazardous substances and chemical wastes from the abandoned Medley (Burnt Gin Road) site in Gaffney, South Carolina. In accordance with the provisions of Section 104 and other provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601 et seq. (CERCLA), responsible parties may be liable for any costs incurred by the government in taking corrective actions at the site. Such costs may include, but may not be limited to, expenditures for investigation, planning, cleanup of the site and enforcement.

Responsible parties under CERCLA include the current and past owner or operator, and persons who are involved in the disposal or treatment or who arranged for the transportation of hazardous substances for the purpose of treatment or disposal at the site. By virtue of statements evinced from the operator of the Medley site which specifically implicate your company as a significant contributor of waste substances deposited at the site, EPA has reason to believe that your company may be a liable responsible party. By this letter therefore, EPA intends both to notify you of your potential liability with regard to this matter and to obtain pertinent information from you which will determine whether further action is indicated as to your company or other potentially responsible parties.

Under the provisions of Section 104 of CERCLA, 42 U.S.C. 9604, and Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6927, as amended by the Solid Waste Disposal

Act Amendments of 1980 and the Hazardous and Solid Waste Amendments of 1984, the Administrator of the Environmental Protection Agency has the authority to require any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes and substances to furnish information related to such wastes and substances. Please be advised that Section 103(d)(2) of CERCLA, 42 U.S.C. §9603(d)(2), imposes criminal sanctions upon any person who knowingly destroys, mutilates, erases, disposes of, conceals, or otherwise renders unavailable or falsifies any records containing information pertinent to such wastes.

In accordance with the authority granted EPA by the aforementioned statutory provisions, you are hereby requested to respond to the following questions and to forward pertinent documents within three (3) weeks from the date of your receipt of this letter:

1. Did your company have any transactions regarding chemical or industrial wastes or waste of any kind with either Mr. or Mrs. Ralph Medley, Mr. Clyde Medley, Medley's Concrete Works, or Piedmont Industrial Services, Inc., or any other entity(ies) owned or controlled by the above named individuals or companies?
2. If your answer to Question #1 is "yes", please identify and describe each such transaction, detailing the individual(s) and company(ies) with whom you dealt.
3. Did your company, by written or oral agreement(s) or contract(s), arrange for the disposal, treatment or storage, or arrange with a transportation or trucking company for transport for disposal, treatment or storage of chemical or industrial wastes or hazardous substances or waste of any kind at the Medley site?
4. If your answer to Question #3 is "yes", identify the company(ies) or individual(s) or corporation(s) by name and give the month(s) and year(s) such agreement(s) or contract(s) was entered into.
5. With reference to your answer to Question #3 above, indicate whether such contract(s) or agreement(s) was completed or carried out.
6. Specify the current location of any documents making reference to or containing the terms of any such written or oral contract(s) or agreement(s) revealed in your response to Question #3. Please provide a copy of each such document.

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7. Identify by name, address, and phone number the current custodian of any document(s) referred to in Question #6.
8. Identify by name, address, and phone number the employee(s) or officer(s) of your company who entered into the oral agreement(s) or written agreement(s) or contract(s) mentioned in your response to Question #3.
9. Did your company ever receive confirmation by way of letter(s), receipt(s), manifest(s), or other document(s) from one or more of the individuals or corporations that your wastes were actually disposed of at the Medley site? Please provide a copy of such confirmations(s).
10. If your answer to Question #9 is "yes", identify the company(ies) or individual(s) and indicate the month(s) and year(s) such confirmation(s) was given.
11. Specify the generic name(s) and chemical nature of any chemical or industrial wastes or hazardous substances or waste of any kind pertaining to the agreement(s) or contract(s) identified in your response to Question #3.
12. State the total volume - in terms of number of 55 gallon drums, gallons of liquid, or in cubic meters for solid wastes - which your company had sent to the Medley site.
13. Did your company have any transactions with the Love Springs disposal site involving chemical or industrial wastes or hazardous substances or waste of any kind? (The Love Springs site was formerly licensed by the State of South Carolina and is located 0.3 miles west of the junction of State Roads 11-42 and 11-49.)
14. If your answer to Question #13 is "yes", please identify and describe each such transaction detailing the individual(s) or company(ies) with whom you dealt.
15. Did your company, by written or oral agreement(s) or contract(s), arrange for the disposal, treatment or storage, or arrange with a transportation or trucking company for transport for disposal, treatment or storage of chemical or industrial wastes or hazardous substances or waste of any kind at the Love Springs site?
16. If your answer to Question #15 is "yes", identify the company(ies) or individual(s) or corporation(s) by name and give the month(s) and year(s) such agreement(s) or contract(s) was entered into.

17. With reference to your answer to Question #15 above, indicate whether such contract(s) or agreement(s) was completed or carried out.
18. Specify the current location of any document(s) making reference to or containing the terms of any such written or oral contract(s) or agreement(s) revealed in your response to Question #15. Please provide a copy of each such document.
19. Identify by name, address, and phone number the current custodian of any document(s) referred to in Question #18.
20. Identify by name, address, and phone number the employee(s) or officer(s) of your company who entered into the oral agreement(s) or written agreement(s) or contract(s) mentioned in your response to Question #15.
21. Did your company ever receive confirmation by way of letter(s), receipt(s), manifest(s), or other document(s) from one or more of the individuals or corporations that your wastes were actually disposed of at the Love Springs site? Please provide a copy of each such letter, manifest, document or other record of such confirmation(s).
22. If your answer to Question #21 is "yes", identify the company(ies) or individual(s) and indicate the month(s) and year(s) such confirmation(s) was given.
23. Specify the generic name(s) and chemical nature of any chemical or industrial wastes or hazardous substances or waste of any kind pertaining to the agreement(s) or contract(s) identified in your response to Question #15.
24. State the total volume - in terms of number of 55 gallon drums, gallons of liquid, or in cubic meters for solid wastes - which your company had sent to the Love Springs site.
25. Did your company have any transactions with the High Point (Poole Property) site involving chemical or industrial wastes or hazardous substances or waste of any kind? (The High Point site is located in western Cherokee County on State Road 11-196 near the High Point Baptist Church.)
26. If your answer to Question #25 is "yes", please identify and describe each such transaction, detailing the individual(s) and company(ies) with whom you dealt.
27. Did your company, by written or oral agreement(s) or contract(s), arrange for the disposal, treatment or storage,

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or arrange with a transportation or trucking company for transport for disposal, treatment or storage of chemical or industrial wastes or hazardous substances or waste of any kind at the High Point site?

28. If your answer to Question #27 is "yes", identify the company(ies) or individual(s) or corporation(s) by name and give the month(s) and year(s) such agreement(s) or contract(s) was entered into.
29. With reference to your answer to Question #27 above, indicate whether such contract(s) or agreement(s) was completed or carried out.
30. Specify the current location of any document(s) making reference to or containing the terms of any such written or oral contract(s) or agreement(s) revealed in your response to Question #27. Please provide a copy of each such document.
31. Identify by name, address, and phone number the current custodian of any document(s) referred to in Question #30.
32. Identify by name, address, and phone number the employee(s) or officer(s) of your company who entered into the oral agreement(s) or written agreement(s) or contract(s) mentioned in your response to Question #27.
33. Did your company ever receive confirmation by way of letter(s), receipt(s), manifest(s), or other document(s) from one or more of the individuals or corporations that your wastes were actually disposed of at the High Point site? Please provide a copy of each such letter, manifest, document or other record of such confirmation(s).
34. If your answer to Question #33 is "yes", identify the company(ies) or individual(s) and indicate the month(s) and year(s) such confirmation(s) was given.
35. Specify the generic name(s) and chemical nature of any chemical or industrial wastes or hazardous substances or waste of any kind pertaining to the agreement(s) or contract(s) identified in your response to Question #27.
36. State the total volume - in terms of number of 55 gallon drums, gallons of liquid, or in cubic meters for solid wastes - which your company had sent to the High Point site.

Section 3008 of RCRA, 42 U.S.C. 6928, provides that failure to comply with this request may result in an order requiring

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compliance or a civil action for appropriate relief. Section 3008 provides for civil penalties for failure to comply. In addition, failure to comply with this request under Section 104 of CERCLA may result in a civil enforcement action being brought against you by EPA. Due to the seriousness of the problem at this site and the attendant legal ramifications, EPA strongly encourages you to submit a written response within the time frame specified herein. Your response should be sent to:

Mr. Kirk Macfarlane
Assistant Regional Counsel
U.S. Environmental Protection Agency
345 Courtland Street, N.E.
Atlanta, Georgia 30365
(404) 881-2641

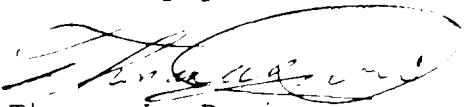
Please direct any technical questions that you have to either Mr. Macfarlane or Ms. Giezelle Bennett of my compliance staff at (404) 881-2930.

EPA regulations governing the confidentiality of business information are set forth in Part 2, Subpart B of Title 40 of the Code of Federal Regulations. For any portion of the information submitted which is entitled to confidential treatment, a confidentiality claim may be asserted in accordance with 40 CFR Section 2.203(b). If EPA determines that the information so designated meets the criteria set forth in 40 CFR Section 2.200, the information will be disclosed only to the extent, and by means of the procedures specified in 40 CFR Part 2, Subpart B. EPA will construe the failure to furnish a confidentiality claim with response to this letter as a waiver of that claim, and information may be made available to the public by EPA without further notice.

The factual and legal discussions contained in this letter are intended solely for notification and edification purposes. They are not intended as, do not enunciate, and may not be relied upon as final Agency position on any matters set forth herein.

We hope that you will give these matters your immediate attention.

Sincerely yours,



Thomas W. Devine
Director
Waste Management Division